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MURPHY COMMISSION
BACKGROUND MATERIAL

DEPT OF STATE review(s) completed.

NSC Referral Not Required

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TAB

COMMISSION ON THE ORGANIZATION OF THE GOVERNMENT
FOR THE CONDUCT OF FOREIGN POLICY

123-5427

Approved For Release 2003/07/31 : CIA-RDP80M01133A001000050001-2

WASHINGTON, D.C. 20506

MANDATE

The Foreign Relations Authorization Act of 1972 (P.L. 92-352, July 13, 1972) established a joint Presidential-Congressional study commission to submit to the Congress and the President findings and recommendations "to provide a more effective system for the formulation and implementation of the Nation's foreign policy."

In describing the duties of the Commission the law states that "the Commission shall study and investigate the organization, methods of operation, and powers of all departments, agencies, independent establishments, and instrumentalities of the United States Government participating in the formulation and implementation of United States foreign policy." In carrying out its responsibilities, the Commission may make recommendations with respect to the reorganization of the departments and agencies, more effective arrangements between executive branch and Congress, improved procedures among departments and agencies, the abolition of services, activities and functions not necessary to the efficient conduct of foreign policy, and "other measures to promote peace, economy, efficiency and improved administration of foreign policy."

The report of the Commission, which is to be submitted to the President and the Congress by June 30, 1975, may include "proposed constitutional amendments, legislation, and administrative action considered appropriate in carrying out its duties." The Commission, in performing its responsibilities, is authorized to hold hearings, subpoena witnesses and secure directly information from any executive department or agency.

COMMISSION MEMBERS

The Commission is composed of twelve members, four each appointed by the President of the Senate, the Speaker of the House, and the President. The members are:

THE HONORABLE ROBERT D. MURPHY - Chairman
Corning Glass International
New York, New York

THE HONORABLE JAMES B. PEARSON - Vice Chairman
United States Senate

F-18

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DR. DAVID M. ABSHIRE

Chairman, Center of Strategic & International Studies
Georgetown University
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MRS. ANNE ARMSTRONG

Counsellor to the President
White House

THE HONORABLE WILLIAM J. CASEY

Ex-Im Bank

MRS. CHARLES W. ENGLEHARD, JR.

Far Hills, New Jersey

MR. AREND D. LUBBERS

President, Grand Valley State College
Allendale, Michigan

MR. FRANK C. P. McGLINN

Executive Vice President
Fidelity Bank
Philadelphia, Pennsylvania

✓ THE HONORABLE Peter Frelinghuysen

House of Representatives

THE HONORABLE MIKE MANSFIELD

United States Senate

DR. STANLEY P. WAGNER

President, East Central State College
Ada, Oklahoma

THE HONORABLE CLEMENT J. ZABLOCKI

House of Representatives

COMMISSION STAFF

FRANCIS O. WILCOX is the Executive Director of the Commission and FISHER HOWE is the Deputy Executive Director. Former Senator WILLIAM B. SPONG, JR., is General Counsel to the Commission. The Commission offices are located at 2025 M Street, N. W., Washington, D.C. 20506. Telephone (202) 254-9850.

June 1, 1973

COG/FP STAFF 1

Approved For Release 2003/07/31 : CIA-RDP80M01133A001000050001-2

GSA DC 74-2259

COMMISSION ON THE ORGANIZATION OF THE GOVERNMENT
FOR THE CONDUCT OF FOREIGN POLICY

2025 M STREET, N.W.
WASHINGTON, D.C. 20506

STATEMENT OF OBJECTIVES

The objective set forth in the first section of the legislation authorizing the Commission is simple and straightforward: "to submit findings and recommendations to provide a more effective system for the formulation and implementation of the Nation's foreign policy." The statute goes on to specify the kinds of recommendations sought. It directs that they address "the reorganization of the departments, agencies ... and instrumentalities of the Executive Branch participating in foreign policy matters; ... improved procedures among those departments and agencies; the abolition of unnecessary activities and functions; and such other measures as may serve "to promote peace, economy, efficiency and improved administration of foreign policy." In addition to these issues, all concerned with the functioning of the executive branch, the Commission is directed to recommend "more effective arrangements between the executive branch and Congress, which will better enable each to carry out its constitutional responsibilities."

The mandate of the Commission, in short, is not to concern itself directly with the substance of foreign policy, but to propose improvements in the means by which, in both the executive and legislative branches, foreign policy is made and implemented.

In order to focus and direct its inquiries and the work of its staff, the Commission finds it useful to amplify that statement of objectives with further comments of two kinds. Some concern the characteristics the Commission believes "a more effective system" of foreign-policy-making should possess. Others address the problems of making the work of the Commission itself effective.

Elements of Governmental Effectiveness

Any effective system for the formulation and implementation of foreign policy will possess certain characteristics. Those to which this Commission expects to give highest priority

are the following:

That in the FORMULATION of policy, decisions should be based upon --

- (a) a continuing analysis of major trends and developments in the changing world environment;
- (b) a coherent conception of both the immediate and longer-range objectives of this country;
- (c) the best obtainable information from a wide range of sources;
- (d) rigorous and objective analysis of implications flowing from available information;
- (e) a careful balancing of the full range of relevant considerations -- specifically including domestic political and economic factors;
- (f) the consideration of a full range of realistic alternative courses from which to choose;
- (g) adequate coordination and consultation with those who should participate in the policy process;
- (h) procedures which keep to the minimum the decisions which must be made at the top.

That in the IMPLEMENTATION of policy, decisions should be --

- (a) communicated to those responsible or affected by them in a clear and timely fashion;
- (b) monitored to insure that those decisions promptly become policy in fact as well as in word;
- (c) reviewed and evaluated in their effects through a continuing process of reassessment.

That in both FORMULATION and IMPLEMENTATION --

- (a) the commitment of resources -- personnel and budgetary -- be appropriate in scale and skill to the task;
- (b) the several processes operate in as open and public a manner as their nature makes possible, and
- (c) all actions taken be broadly consistent with the public's sense of the nature of U.S. interests and the means legitimate to advance those interests.

The role of the Congress is critical in both the formulation and implementation of foreign policy. The organization of the Congress for these purposes, however, can only be determined by the Congress itself. Nevertheless, the Commission will explore various arrangements concerning the organization, jurisdiction, and staffing of the Congress, and the information and analytic support which might be helpful to it in the conduct of foreign policy.

The Commission will also examine the organizational and procedural arrangements important to the relationship between the legislative and executive branches in the conduct of foreign policy. In particular, the Commission will examine the flow of information and consultation between the two branches.

Making the Commission Itself Effective

The Commission anticipates two principal problems in making its own work effective. The first is that organizational arrangements must in some degree depend on both the personal preferences and the policy predilections of top-level officials. Clearly, therefore, no single best organizational framework for the future can now be authoritatively established. The Commission, therefore, expects to propose single preferred arrangements for those kinds of foreign policy issues which can be resolved at levels of government below the very top, and which consequently need not reflect so directly the decision-making style of particular individuals. As to the kinds of issues which inevitably receive the attention of heads of departments, chairmen of Congressional committees and presidents, the Commission expects to propose alternative methods of organization, any of which might be serviceable and one

Subj: Statement of Objectives

Page Four

of which would be preferable, depending on the working styles of the senior officials. In addition, the Commission will undertake to specify the criteria which it believes any organization framework, at all levels, should meet.

The second and larger problem is posed by the fact that many of the issues which this Commission will examine have been addressed by prior commissions, study groups and task forces and that the practical results of many of these studies have been meager. We believe there may have been two principal reasons for this fact. The first is that for every proposed organizational change substantial costs or disadvantages as well as benefits can be discerned. They are proposals therefore on which, if the experience and judgment of individuals are the only basis for decision, reasonable men may reasonably disagree. And few prior studies were able to offer their readers any other basis of decision; they did not present a body of evidence to show that the advantages of their recommendations would clearly outweigh the costs or disadvantages. The second reason appears to be that in many cases prior commissions were unable to enlist in the development and review of their recommendations the full participation of the several agencies, departments and indeed branches of government which would be affected by them.

This Commission recognizes an obligation, therefore, to present not merely a set of recommendations and their rationale, but a body of evidence which suggests that such recommendations, if implemented, can reasonably be expected to produce beneficial results. It recognizes also an obligation to offer the many parties inevitably affected by such recommendations the opportunity to comment critically on them and to offer alternative suggestions.

The Commission also recognizes that there may be circumstances under which it can advance the cause of improved organization for foreign policy prior to the issuance of its final report. As its views on appropriate organizational changes develop, therefore, it expects to consult with the officials now responsible for the conduct of foreign policy to determine whether organizational changes which they may be contemplating deserve the Commission's support.

Means to Those Ends

Accordingly, the Commission expects its own work and that of its staff to involve, among others, the following activities.

1. A thorough review of the findings and recommendations of previous relevant studies and reports.
2. A solicitation of the views of a larger number of public and private persons with experience in the analysis or operation of foreign policymaking.
3. A detailed canvassing of the attitudes and desires of members of Congress with respect to the appropriate role for Congress in the making of foreign policy and the means necessary to the effective performance of that role.
4. An intensive study program designed both to canvass existing materials and to develop fresh sources of information on the potential benefits and probable effects of alternative organizational arrangements.

Prospectives on the Commission's Assignment

We undertake this effort and believe it to be important not alone to deal with any inadequacies in our government's current organization for the conduct of foreign policy but for two other reasons as well.

The first has to do with complexity. The world is now not bi-polar but multi-polar. We can no longer neatly divide the nations of the world into antagonists, allies, and neutrals. The pace of technological change increases. The interdependencies of nations become more numerous and more sensitive. Even more pertinent, many of the most important problems are no longer clearly "domestic" or "foreign"; they cannot therefore be adequately dealt with in existing organizational frameworks. In this setting the tasks of foreign policy grow more numerous, more subtle, and more direct in their impact on our daily lives. Some changes in the organization of our government to perform those tasks may therefore prove highly beneficial.

The second reason has to do with power. From the end of World War II until very recently the power and influence of the United States were sufficient to insure that its principal objectives would be attained even where those objectives were only simply perceived and crudely pursued. Those days have gone, and they are not likely to return. Our margin of error is considerably reduced. If the United States is to attain its ends in the future; it must formulate and implement its policies with far greater foresight, precision and control. Here again, organizational changes may prove useful.

It is with the expectation of making substantial contributions to these ends that the Commission pursues its work.

February 20, 1974

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2025 M STREET, N.W.
WASHINGTON, D.C. 20506

August 8, 1974

The Honorable William E. Colby
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Bill:

As the Commission on the Organization of the Government for the Conduct of Foreign Policy moves from the briefing phase to the phase of study in depth of some selected features, I would like to outline for you our approach in the area of intelligence. Intelligence obviously plays a major role in the formulation and execution of foreign policy. We would like to identify that role clearly and look at various ways intelligence could make an even better contribution to foreign policy deliberations. This will require us to be aware of some of the organizational aspects of the intelligence relationship to foreign policy and to assess the ways in which intelligence contributes to foreign policy, from the raw report to the finished estimate. We must also cover the degree of success our intelligence has and can hope to have in accurately reporting events abroad and projecting their likely future directions. I think we must include a review of the political costs involved in intelligence operations where they do cause problems for foreign policy. As a related but somewhat separable issue, we will need to identify the role in our foreign policy of what is called covert action and come to some judgments on its desirability, extent and decision-making process.

On the other hand, I do not view the Commission's function as reviewing and making recommendations on the organization of our intelligence services and community, its budgets, personnel strengths, etc., or the details of its operations and procedures. The Commission will not be conducting an investigation of the organization of intelligence itself, but, rather, the role of intelligence as it affects the conduct of our foreign policy. In order to make informed judgments on the latter, of course, we must be aware of some of these matters as necessary background, but I want to assure you that the thrust of our work will be in the latter category. I share what I know is your great concern about the necessity to protect the sensitive operational aspects of the intelligence effort. We will conduct our inquiry and maintain our records so as not to expose such matters.

As you know, we have consulted a number of experts to help the Commission draw up a Study Plan, and I enclose a copy of their suggestions for your information. The plan would operate under the close supervision of our Executive Director Francis Wilcox and his Deputy Fisher Howe. It will be

The Honorable William E. Colby

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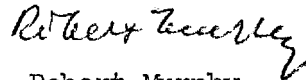
will
noted that Mr. William J. Barnds/draw up Paper #1 and #2 on "Intelligence Functions and Policy Making in the Institutional Context"; Mr. Clinton W. Kelly III, Paper #3 on "Innovation in Intelligence Production", and William R. Harris, Paper #4, on "Authority for the Conduct and Management of Foreign Intelligence".

As you will note from the enclosure, there will be an "all source" study project under Intelligence Project Director Mr. Kent Crane, which will include analysis of past studies and reports on the intelligence community. He and others will be discussing with you the specifics of these studies and be sure that appropriate clearances are obtained and other arrangements made.

The Commission is most grateful for your cooperation and encouragement in the initial phase of our work.

With warm regards

Yours sincerely,



Robert Murphy
Chairman

RM:lb
Enclosures

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COMMISSION ON THE ORGANIZATION OF THE GOVERNMENT
FOR THE CONDUCT OF FOREIGN POLICY

2025 M STREET, N.W.
WASHINGTON, D.C. 20506

December 6, 1974

MEMORANDUM FOR COMMITTEE II: Intelligence

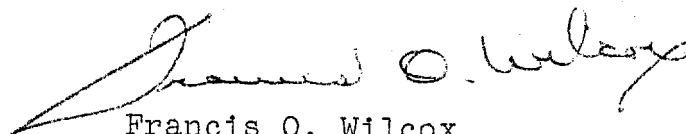
Mr. Robert D. Murphy, Chairman
Dr. David M. Abshire
Mr. William J. Casey
Mr. Arend D. Lubbers
Rep. Peter H. B. Frelinghuysen ✓

SUBJECT: Meeting Plans

Pursuant to the Chairman's Memorandum of November 29 on "Committee Plans," the staff has prepared the enclosed two memoranda which set forth:

- suggested agendas for the next two two-day meetings,
- a comprehensive list of materials.

A number of the reports and papers which relate to the forthcoming meeting are also enclosed and further papers will be distributed as soon as available.



Francis O. Wilcox
Executive Director

Enclosures

December 6, 1974

Committee II - Intelligence

SUBJECT: Suggested Agenda and Plans

Monday, December 16, Conference Room, PFIAB

9:15 a.m.

Security Briefing by CIA for
necessary compartmented clearance

9:30-11:00

Resource Management

STATINTL

- Briefing by [] of
the DCI's IC staff

11:00-12:45

- Reading and briefing of avail-
able sections of Hitchcock/Crane
"All Source Study."

1:00-2:00 p.m.

Sandwich Lunch

2:00-3:30

- Briefing by Robert Macy

- Commentary by Hugh Cunningham

- Discussion of ISSUES PAPER

3:30-5:00

Statutory Authority

- Briefing by William Harris

- Commentary by Lawrence Houston
and/or John Warner

- Discussion of ISSUES PAPER

Tuesday, December 17, Conference Room, PFIAB

9:30-12:30

Intelligence and Policymaking

-Discussion with Adm. George Ander-
son, Chairman, PFIAB on:

- a) role of PFIAB
- b) clandestine services
- c) resource allocation

Agenda

12:45-1:45

2:00-4:00

- Briefing by William Barnds
- Commentaries by John Huizenga
and Laurence Lynn
- Discussion of ISSUES PAPER
- Sandwich Lunch
- Innovation
- Briefing by R. Jack Smith
- Briefing by William Harris
on behalf of Clinton Kelly.
- Discussion of ISSUES PAPER

Committee II -- Intelligence

SUBJECT: Suggested Agenda and Plans

Monday, January 6, Conference Room, PFIAB

9:30-11:00 a.m.	Discussion of DRAFT REPORT ON <u>Clandestine Services</u>
11:00-1:00	Discussion of DRAFT REPORT on <u>Resource Management</u>
1:00-2:00 p.m.	Sandwich Lunch
2:00-3:30	Discussion of DRAFT REPORT on <u>Statutory Authority</u>

Tuesday, January 7, Conference Room, PFIAB

9:30-11:00 a.m.	Discussion with <u>John McCone</u> , former DCI
	Discussion of DRAFT REPORT on <u>Intelligence and Policymaking</u>
11:00-1:00	Discussion of DRAFT REPORT on Innovation in <u>Intelligence</u> <u>Production</u>
1:00-2:00 p.m.	Sandwich Lunch
2:00-4:00	Discussion of DRAFT REPORT on <u>Intelligence and Congressional/</u> <u>Executive Relations.</u> (conducted with Committee I)

December 6, 1974

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COMMITTEE II - Intelligence

SUBJECT: Comprehensive List of Materials for the Committee

A. GENERAL

1. William Colby - edited summary of November, 1973 testimony to Commission Distributed Oct. 10
2. Ray Cline and William Porter, Department of State - edited summary of November, 1973 testimony to Commission Distributed Oct. 10
3. Admiral dePoix and William Hall, Department of Defense - edited summary of November, 1973 testimony to Commission Distributed Oct. 10
4. A Panel of State Department Officers (Cline, Davies, Fry, and Sneider) - edited summary of testimony on Intelligence matters, September, 1973 to Commission Distributed Oct. 10
5. John Treat - summaries of previous reports on organizational reform for Intelligence, June 1974 Distributed Oct. 10
6. Lyman Kirkpatrick - book entitled, The U.S. Intelligence Community, 1973 Distributed Nov. 1973
7. Harry H. Ransom - article entitled, "Strategic Intelligence," 1973 Distributed Nov. 1973
8. William Colby - letter to Chairman Murphy, November 1973, concerning major issues involving the Intelligence Community Distributed Nov. 1973
9. Kent Crane and J. J. Hitchcock - "All Source" Review of Past Reports (TOP SECRET) Available in PFIAB offices
10. William Barnds - Paper I on "Intelligence Functions" Distributed Nov. 11
11. Chester Cooper - Paper on "The CIA and Decision-making," reprinted from "Foreign Affairs" Distributed Oct. 16

12. Paul Blackstock - unpublished paper on "Intelligence and Covert Operations: Changing Doctrine and Practice" Distributed Oct. 16
13. William Barnds - paper on "Intelligence and Foreign Policy, Dilemma of a Democracy," reprinted from "Foreign Affairs" Distributed Oct. 16
14. Marchetti and Marks - book entitled, The CIA and the Cult of Intelligence Distributed Oct. 16
15. Harry Ransom - speech on "Congress and American Secret Intelligence Agencies," prepared for Commission hearings in Atlanta, Nov. 12.
16. Paul Blackstock - speech on "Intelligence, Covert Operations and Foreign Policy," prepared for Commission hearings in Atlanta, Nov. 12.

B. CLANDESTINE SERVICES

1. ISSUES PAPER Distributed Nov. 18
2. Taylor Belcher - Paper on "Clandestine Operations" Distributed Nov. 11
(Oral testimony - Nov. 18)
3. Chester Cooper - Paper on "American Foreign Policy and Covert Intelligence" Distributed Nov. 11
(Oral testimony - Nov. 18)
4. John Bross - Commentary on "Covert Action" Distributed Nov. 11
(Oral testimony by William Harris on behalf of John Bross - Nov. 18)
5. William Colby - Speech at Conference on the CIA and Covert Action, entitled "The View From Langley" Distributed Oct. 30
6. Morton Halperin - Essay on "Implications of Decision-making for Covert Operations," prepared for Conference on the CIA and Covert Action Distributed Oct. 30

7. Roger Morris - Essay on "Following The Scenario: Five Case Histories of CIA Intervention," prepared for Conference on the CIA and Covert Action Distributed Oct. 30
8. Thomas Reckford - Summary of Proceedings at Conference on the CIA and Covert Action Distributed Oct. 30
9. William Colby, William Nelson and [] - Discussion with Intelligence Committee, Nov. 18 No Paper STATINTL
10. DRAFT REPORT

C. RESOURCE MANAGEMENT

1. ISSUES PAPER
2. Robert Macy - Paper on "Issues on Intelligence Resource Management" (Oral testimony - Dec. 16)
3. Anonymous DoD Official - Commentary on "Resource Management"
4. Hugh Cunningham - Commentary on "Resource Management"
5. [] - Discussion with Intelligence Committee, Dec. 16

D. STATUTORY AUTHORITY

1. ISSUES PAPER
2. William Harris - Paper on "Legal Authority for the Conduct and Control of Foreign Intelligence Activities" (Oral testimony - Dec. 16)
3. John Elliff - Commentary on Harris Paper
4. Lawrence Houston - Commentary on Harris Paper
5. John Warner, CIA General Counsel - Discussion with Intelligence Committee, Dec. 16
6. DRAFT REPORT

E. INTELLIGENCE AND POLICYMAKING

1. ISSUES PAPER
2. William Barnds - Paper II on "Intelligence and Policymaking in our Institutional Context"
(Oral testimony - Dec. 17)
3. John Huizenga - Commentary on Barnds' Papers I and II
(Oral testimony - Dec. 17)
4. Larry Lynn - Commentary on Barnds' Papers I and II
(Oral testimony - Dec. 17)
5. Harry Ransom - Commentary on Barnds' Papers I and II
(Oral testimony - Dec. 17)
6. DRAFT REPORT

F. INNOVATION IN INTELLIGENCE PRODUCTION

1. ISSUES PAPER
2. R. Jack Smith (and) -
Paper on Innovation in Intelligence Production
(Oral testimony - Dec. 17)
3. Clinton Kelly - Paper on "Innovations in Intelligence Production"
4. Thomas Brown - Commentary on Kelly's Paper
5. DRAFT REPORT

STATINTL